

FILED

JAN 16 2018

Clerk, U S District Court
District Of Montana
Billings

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

**The UNITED STATES OF AMERICA
ex rel. STEVE AND JONI HARMAN**

Plaintiffs,

v.

**BNSF RAILWAY CO., MONTANA
RAIL LINK, INC., and JOHN DOES
1-30,**

Defendants.

CV 17-59-BLG-SPW

**ORDER ON THE UNITED
STATES' NOTICE OF
ELECTION TO DECLINE
INTERVENTION**

FILED UNDER SEAL

The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the Court rules as follows:

IT IS HEREBY ORDERED that,

1. The Complaint be unsealed and served upon the defendants by the relator;
2. All other contents of the Court's file in this action remain under seal and shall not be made public or served upon the defendants, except for this Order and the Notice of the United States, which the relators will serve upon the defendants only after service of the Complaint;
3. The seal be lifted as to all other matters occurring in this action after the

date of this Order;

4. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and are entitled to intervene in this action, for good cause, at any time;

5. The parties shall serve all notices of appeal upon the United States;

6. All orders of this Court shall be sent to the United States; and that

7. Should the relators or the defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will provide the United States with notice and an opportunity to be heard before ruling or granting its approval.

DATED this 16th day of January, 2018.



SUSAN P. WATTERS
United States District Judge